UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/991
23 October 1998

ORIGINAL: ENGLISH

LETTER DATED 22 OCTOBER 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE MISSION OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose the text of the Kosovo Verification Mission Agreement between the North Atlantic Treaty Organization and the Federal Republic of Yugoslavia (see annex).

I should be grateful if you could kindly arrange to have the present letter and its annex circulated as a document of the Security Council.

(Signed) A. Peter BURLEIGH
Chargé d'affaires a.i.

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Annex

Kosovo Verification Mission Agreement
between
the North Atlantic Treaty Organization
and
the Federal Republic of Yugoslavia

The North Atlantic Treaty Organization, hereafter called NATO,

represented by

General Wesley K. Clark
Supreme Allied Commander, Europe

and

The Federal Republic of Yugoslavia, hereafter called FRY,

represented by

Colonel General Momcilo Perisic
Chief of General Staff of the Army of Yugoslavia

Have agreed on the NATO Kosovo Verification Mission as follows:

NATO KOSOVO VERIFICATION MISSION

Introduction: In order to provide air surveillance to verify compliance by all parties with the provisions of UNSCR 1199, complementing the ground verification to be established by the OSCE, NATO and FRY agree to the establishment of an air surveillance system for Kosovo, to be known as the NATO Kosovo Verification Mission, and agree that NATO will implement it. This document establishes the terms of reference and governing procedures for this NATO Kosovo air verification system. The NATO Kosovo air verification system will be comprised of NATO non-combatant reconnaissance platforms, including U2, unmanned aerial vehicles (UAVs), and low and medium altitude manned reconnaissance platforms such as the P-3, Canberra, DeHaviland-7 ARL and comparably configured non-combatant platforms.

Flight Control Requirements

In order to create a cooperative and safe operating environment for the NATO Kosovo air surveillance mission and for the FRY Air Force and Air Defence Forces (FRADF), the following procedures shall apply:

- A mutual safety zone encompassing FRY airspace within a radius of 25 km from the contiguous boundary of Kosovo will be established, within which FRY Air Force fighter aircraft and Air Defence Forces will not conduct operations during the period of flight operations by NATO manned non-combatant reconnaissance platforms. This Mutual Safety Zone will be identified for all aircraft as follows: from latitude-longitude to latitude-longitude [to be specifically defined]. Additionally, NATO aircraft operating in support of the Kosovo Air Verification Mission will avoid all published instrument approach fixes within Kosovo and the Mutual Safety Zone;

  For manned low and medium altitude reconnaissance platforms, NATO flight operations will consist of a defined period to include a thirty-minute safety margin before and after announced NATO flights, and may be conducted at all times within the confines of Kosovo. For U2 and unmanned reconnaissance platforms, flight operations may be conducted at all times and do not require this thirty-minute safety margin:

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- In order to permit the FRY air force to comply with this requirement, the NATO flight operations coordinator will provide a weekly schedule of NATO non-combatant reconnaissance platform flight operations. NATO weekly schedules will make all attempts to provide FAADF appropriate time blocks (6-8 hours) to allow for requisite training requirements. In case of an emergent situation or weather and visibility problems, NATO may fly any of its non-combatant reconnaissance platforms with a one-hour notice. NATO authorities will contact FAADF liaisons immediately to advise of such flights so FAADF fighter aircraft can clear the Kosovo and Mutual Safety Zone airspace immediately;

- Commercial, civilian private aircraft, military air transport and rotary wing flight operations by FRY entities may be operated at any time without restriction, including during the period of NATO non-combatant reconnaissance platform operations. These FRY flight operations may operate anywhere in the sovereign airspace of the FRY. Prior coordination with the NATO Flight Operations Coordinator is not required for these flights; however, FRY flights will be operated to avoid interference with declared NATO flight operations;

- FRY fighter aircraft may fly within Kosovo and the Mutual Safety Zone at all times except when NATO manned low and medium altitude non-combat reconnaissance platforms are operating as described above;

- NATO aircraft will conduct aerial reconnaissance missions on a mutual non-interference basis;

- Airspace entry and exit points for manned non-combatant platforms will be through Albania and FYROM except if coordinated in advance.

FRY Integrated Air Defence System Requirements

During the duration of the NATO Kosovo Verification Mission, the following conditions apply within Kosovo and the Mutual Safety Zone:

- Early warning radars may operate unrestricted at all times;

- All SAMs and air defence weapons (includes acquisition, target tracking or other fire control radars, radar-controlled gun and man-portable air defence systems) will either be removed from Kosovo and the established Mutual Safety Zone, or placed in cantonment sites and not operated. Cantonment sites will be declared, geographic positions identified, and open for inspection. SA-6 Missiles and launchers may remain in deployed sites if separated from their cantoned acquisition, target tracking and fire control radars;

- All SAMs and air defence weapons outside the Mutual Safety Zone must refrain from acquisition, target tracking or otherwise illuminating (except with early warning and air traffic control radars) NATO Kosovo Verification Mission non-combatant reconnaissance platforms;

- Training and maintenance may be conducted on systems precluded from operation with 24-hour notification and approval. Additionally, systems in cantonment areas and deployed sites may be removed to areas outside Kosovo and the Mutual Safety Zone following the same provisions of this agreement;

- No SAMs or air defence weapons not initially identified in the Kosovo and Mutual Safety Zone may be brought into Kosovo.

Force Protection

Violations of any provisions of this agreement, to include unauthorized flight or activation of FRY Integrated Air Defence Systems (IADS) within Kosovo and the Mutual Safety Zone, will be immediately arbitrated through appropriate bilateral channels to determine liability and appropriate action to be taken.

Command and Control

In order to help assure the safe conduct of the NATO Kosovo air verification system, "Air Defence Liaisons" comprised of FRY and NATO representatives will be established at appropriate offices in Belgrade, and at the Combined Air Operations Centre (CAOC) in Vicenza, Italy.

The NATO Kosovo Air Verification Mission air surveillance activities and OSCE Kosovo Verification Mission ground surveillance activities will be coordinated between the OSCE Verification Mission Headquarters and NATO.

Status and Conditions

- The FRY government hereby guarantees the safety and security of the NATO Kosovo Verification Mission and all its members;

- The FRY government and its entities will designate formal liaison officers to work with the NATO Kosovo Verification Mission in Belgrade.

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Implementation and Transition Period

Implementation of this agreement is subject to the following provisions:

- Communications and liaison channels will be established between FAADF in Belgrade and CAOC, Vicenza as soon as possible following conclusion of this agreement;
- UI and UAV operations may commence within 72-hours of establishing communications and liaison channels;
- Within 15 days, 25 km boundary defining the Mutual Safety Zone will be agreed and identified by both parties on a common reference map;
- Within 15 days, published instrument approach fixes within Kosovo and the Mutual Safety Zone will be identified on a common reference map;
- FAADF will be provided 15 days after concluding this agreement to allow movement and cantonment of air defence systems and establish internal operational procedures of compliance;
- NATO will conduct a flight profile with a manned non-combatant reconnaissance platform prior to full initiation of the Kosovo Air Verification Mission to determine the operational concepts of this agreement. If during this validation profile, flight conduct and safety concerns are identified, NATO and FRY will agree to immediately establish changes to the provisions of this agreement to address the concerns of both parties.

Done at Belgrade on the 15th day of October 1998, in two originals, in the English, French and Serbian languages.

In the event of any dispute on the interpretation of the present Agreement, the English text will be authoritative.

For the North Atlantic Treaty Organization	For the Federal Republic of Yugoslavia
General Wesley K. Clark	Colonel General Momcilo Perisic